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DANIEL E. MORRISROE

September 21, 2006

*Via Facsimile Only*

L.S. Charfoos, Esq.  
CHARFOOS & CHRISTENSEN, P.C.  
5510 Woodward Avenue  
Detroit, Michigan 48202

**Re: Charles Haddad v. Indiana Pacers, et al**  
**U.S. District Court Case No. 04-CV-74932**  
**Our File No. CHUBB-3749**

Dear Mr. Charfoos:

Please allow this to confirm the receipt of your proposed order regarding the testimony of Tim Smith. The only objection I have to the proposed order is the phrase "related to the Palace incident on November 19, 2004." The judge indicated that she would address objections to Mr. Smith's testimony at the time of trial on a issue specific basis. Please revise the proposed order and resend it to me for my signature. I have discussed this issue with Brian Akkashian and he concurs with the above objection to the proposed order.

Regards,

POTTER, DeAGOSTINO, O'DEA & PATTERSON



Rick J. Patterson

RJP/sb

cc: Matthew F. Leitman, Esq./Hideaki Sano, Esq. (Fax only)  
Brian M. Akkashian, Esq./Richard M. Apkarian, Jr., Esq. (Fax only)

# FAX TRANSMISSION

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**To:** LARRY CHARFOOS, ESQ.  
BRIAN M. AKKASHIAN, ESQ.  
MATTHEW F. LEITMAN, ESQ./  
HIDEAKI SANO, ESQ.

**Date:** September 21, 2006

**From:** Rick J. Patterson

**Pages:** 2, including this cover sheet.

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**Subject:** HADDAD V. INDIANA PACERS, ET AL

## COMMENTS:

**Please see attached correspondence of today's date regarding proposed Order Re: Testimony of Timothy R. Smith.**

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